



# Guide

## How to apply for help with fees

You may not have to pay a court or tribunal fee, or you may get some money off

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## **Who can get help with fees?**

**You may not have to pay a fee, or you may get some money off if you:**

- only have a small amount of savings and investments
- and receive certain benefits
- or are on a low income

Help with fees is sometimes known as 'fee remission'.

Usually only individuals can apply for help with fees. There are some exceptions, for example:

- sole traders (people who run their own business)
- charities and not-for-profit organisations who are making a case to the UK Supreme Court
- companies applying to the Gambling Appeals Tribunal

## **Your personal details** (question 1)

The court or tribunal need these details to identify you, as well as your case or claim.

You can usually find your National Insurance number on letters from the jobcentre, your payslip, or P60. If you can't find it, see: [gov.uk/lost-national-insurance-number](https://gov.uk/lost-national-insurance-number)

## **Your status** (question 2)

If you're part of a couple, your partner's financial situation will be taken into consideration and you must give details of their savings and income.



### **Choose 'married or living with someone and sharing an income' if you're:**

- married
- civil partners
- living together as if you are married or in a civil partnership
- living at the same address with a joint income
- a couple forced to live apart, eg where one or both is serving in the Armed forces, in prison or living in residential care



### **Choose 'single' if you rely on your own income or your case involves your partner, for example:**

- divorce, dissolution or annulment (unless you have married again or live with a new partner)
- gender recognition
- domestic violence
- forced marriage

You should also choose single if you and your partner are both part of a multiple fee group.

## **About your application** (question 3)

You need to give the name or number of the court or tribunal form that you're using.

You can usually find the form name at the top of the form, and the number at the bottom.

If you don't have a form name or number, for example if you're applying for help with a hearing fee, then write 'hearing fee' as the answer to this question.

If you don't know the answer to this question, leave it blank.

## **Finding your case, claim or 'notice to pay' number** (question 4)

The court or tribunal creates a reference number for every case. This is sometimes called a claim number, case number, or 'notice to pay' number.

If your case is ongoing then you'll find the reference number on letters from the court or tribunal.

If you don't have a reference number (this might be because your case hasn't started yet) leave this question blank.

## **Paying a fee for a probate case** (question 5)

This is when you are applying for the right to deal with the property, money and belongings (the 'estate') of someone who has died in England or Wales.

You can only get help with the fee for applying for a 'grant of representation' and 'submitting a caveat'.

In cases where an attorney (a representative) is acting for someone applying for a grant of representation, then the attorney will have to complete the 'Help with fees' form based on their own circumstances.

See more about probate: [gov.uk/wills-probate-inheritance](https://gov.uk/wills-probate-inheritance)

## **Applying for a refund if you've already paid the fee** (question 6)

You can apply to get some, or all of your money back if you've paid a fee in the last 3 months. However you must have been eligible when you paid the fee.

If you're applying for a refund, answer questions 7 to 11 with information about your circumstances at the time you paid the fee. You should also include 'proof of payment' of the fee with your application, eg a receipt or bank statement.

## **Your savings and investments** (questions 7 and 8)

Start by adding up your savings. **If you have a partner, remember to include their savings too.** (See information about 'Your status' on page 3 if you're not sure whether to include your partner's savings).



### **What to include in savings and investments:**

- money in ISAs and any other savings account
- joint savings accounts that you share with your partner
- fixed rate or investment bonds
- any lump sum (eg a redundancy payout)
- stocks and shares
- trust funds (or any other kind of fund)
- second homes
- any money or property outside the UK



### **Don't include the following in your savings total:**

- wages or benefits
- joint savings accounts that you share with your partner if your case concerns divorce or gender recognition (see more about 'Your status' on page 3)
- personal pensions
- capital value of self-employed businesses
- student loans
- unfair dismissal awards
- money from the criminal injury compensation scheme
- medical negligence or personal injury awards
- any compensation under a statutory scheme in respect of Mesothelioma

**If you have less than £3,000 in savings,** you'll be able to get help with your fee, as long as you receive certain benefits (see page 7) or are on a low income (see page 11).

**If you've got more than £3,000 in savings,** see the table below.

<b>Your court or tribunal fee is:</b>	<b>You must have less than this amount in savings and investments:</b>
Up to £1,000	£3,000
Between £1,001 – £1,335	£4,000
Between £1,336 – £1,665	£5,000
Between £1,666 – £2,000	£6,000
Between £2,001 – £2,330	£7,000
Between £2,331 – £4,000	£8,000
Between £4,001 – £5,000	£10,000
Between £5,001 – £6,000	£12,000
Between £6,001 – £7,000	£14,000
£7,001 or over	£16,000

**If you're 61 or over** and you've got £16,000 or less in savings, you may be able to get help with your fee.

If you have more than this amount it is unlikely that you'll be able to get financial help.

## **Benefits** (question 9)

You'll be able to get help with fees if you only have a small amount of savings (see page 6) and you're receiving one of these benefits:

- Income-based Jobseeker's Allowance (JSA)
- Income-related Employment and Support Allowance (ESA)
- Income Support
- Universal Credit (and you're earning less than £6,000 a year)
- Pension Credit (guarantee credit)
- Scottish Legal Aid

We'll contact the Department for Work and Pensions to confirm that you are (or were) getting one of these benefits. We may also contact you if we need to see additional evidence.

### **If you've only recently started receiving one of these benefits**

(for example, in the last few days), our staff may not be able to confirm your eligibility with the Department for Work and Pensions. In this case you should provide a letter from the job centre.

## **Children living with you, or who you support financially** (question 10)

You need to give details of any children you support financially.

### **This includes children who are:**

- under 16 and living at home with you
- between 16 – 19, single, living at home with you and in full-time education (not including studying for a degree or other higher education qualification). See: [gov.uk/child-tax-credit-when-child-reaches-16](https://gov.uk/child-tax-credit-when-child-reaches-16)
- a child who doesn't live with you, but you (or your partner) pay regular maintenance for them

## Your total monthly income (question 11)

Write down how much money you get every month **before** any tax or National Insurance payments have been taken off.

### What to include as income:

- wages
- some benefits (see the list on pages 10–11 for benefits you shouldn't include)
- pensions (state, work or private without guarantee credit)
- rent from anyone living with you and other properties that you own
- payments from relatives
- maintenance payments, eg from an ex-spouse
- income from selling goods publicly or privately, including over the internet

### Where to find information about your income

<b>Wages</b>	<p>Your monthly total (before tax and national insurance payments) should be on your payslip if you get one.</p> <p>If you get paid weekly multiply your weekly pay by 52, then divide it by 12. This will give you a monthly total.</p> <p>If you're self-employed and earn a different amount each month, divide your gross yearly income from the last financial year by 12. Use this figure as your monthly total.</p>
<b>Child Benefit, Working Tax Credit and Child Tax Credit</b>	<p>You can usually find the monthly amount on the last page of the letter from HM Revenue and Customs (HMRC) confirming that you're receiving Child Benefit, Working Tax Credit or Child Tax Credit.</p>



<b>Contribution-based Jobseeker's Allowance (JSA), Contribution-based Employment and Support Allowance (ESA), and Universal Credit</b>	<p>You can usually find the monthly amount on the letter from the Department for Work and Pensions (DWP) confirming that you're receiving the benefit.</p> <p>You should only include Universal Credit as income if you're earning more than £6,000 a year.</p>
<b>Pensions</b>	Your monthly pension amount should be on your pension statement.
<b>Prisoner Income and Expenditure Statement</b>	You can find monthly income amount on your Prisoner Income and Expenditure Statement if you're a prisoner.

### **Include your partner's income**

If you have a partner, remember to include any money they receive too. See information about 'Your status' on page 3 if you're not sure whether to include your partner's income.

### **Other monthly income**

If you get money from somewhere else (that's not one of the benefits listed above or in question 9), you can enter it in the last row of the table about your income, where it says 'Other monthly income'.

### **If you live outside the UK**

Convert your monthly income into pounds sterling (GBP) using the current exchange rate. Our staff will allow for small changes in the exchange rate from when you complete your application to the date it is assessed.



**Don't include these benefits as income:**

- Armed Forces Independence Payment (AFIP)
- Attendance Allowance
- Back to Work Bonus
- Bereavement Allowance
- Budgeting Advances paid under Universal Credit
- Budgeting Loan
- Carer's Allowance
- Carer Element of Universal Credit
- Childcare Element of Working Tax Credit
- Childcare Element of Universal Credit
- Cold Weather Payment
- Constant Attendance Allowance
- Direct payments made under Community Care, Services for Carer and Children's Services
- Disability Living Allowance (DLA)
- Disabled and Severely Disabled elements of Child Tax Credit
- Disabled and Severely Disabled Child elements of Working Tax Credit
- Disabled and Severely Disabled Child elements of Universal Credit
- Exceptionally Severe Disablement Allowance
- Financial support under an agreement for the foster care of a child
- Funeral Payment
- Housing Benefit
- Housing Credit Element of Pension Credit
- Housing Element of Universal Credit
- Industrial Injuries Disablement Benefit
- Independent Living Fund payments

- Limited Capability for Work Element of Universal Credit
- Personal Independence Payment (PIP)
- Any pension paid under the Naval, Military and Air forces etc (Disablement and Death) service Pension Order 2006
- Severe Disablement Allowance
- Short Term Benefit Advances (STBAs)
- Universal Credit Advances
- Widowed Parent's Allowance

## How your income affects whether you can get help with your fee

You'll be able to get help with fees if you only have a small amount of savings (see page 5) and your monthly income is less than the amount in table 1.

<b>Table 1</b>	<b>Single</b>	<b>Part of a couple</b>
<b>Maximum income</b>	£1,085 plus £245 for each child you have	£1,245 plus £245 for each child that you have
<b>For example:</b>		
<b>1 child</b>	£1,330	£1,490
<b>2 children</b>	£1,575	£1,735

If your monthly income is:

- **less than the amount in table 1** (and you also have less than the amount of savings on page 5), then you won't have to pay your fee
- **more than the amount in table 1**, see table 2 below

<b>Table 2</b>	<b>Single</b>	<b>Part of a couple</b>
<b>Maximum income</b>	£5,085 plus £245 for each child you have	£5,245 plus £245 for each child you have
<b>For example</b>		
<b>1 child</b>	£5,330	£5,490
<b>2 children</b>	£5,575	£5,735

If your monthly income is:

- **less than the amount in table 2** (and you also have less than the amount of savings on page 5), you may be eligible for some money off your fee. See 'Paying part of the fee' below
- **more than the amount in table 2**, you won't be able to get help with your fee

### **Paying part of the fee**

Follow these steps to work out how much money you could get off your fee.

1. Start with your monthly income and subtract the amount in table 1 that applies to your situation.
2. Round the figure down to the nearest £10. For example, £428 becomes £420.
3. Divide this amount by 2 to get the amount you'd have to pay.

Write a cheque for the amount you've calculated and submit it along with your application for help with fees. Cheques should be made payable to HM Courts & Tribunals Service.

**If you're not sure how much you should pay**, our staff can work it out and let you know.

### **Providing evidence of your income**

You may get a letter from the court or tribunal asking for evidence of your income. If this happens, you'll need to send bank statements as well as payslips, letters from the jobcentre or tax returns. Our staff will tell you exactly what they need to see.

**You don't need to send any evidence of your income unless you get a letter asking for it.**

## **Signing the form** (question 13)

You must sign and date the declaration and statement of truth to confirm all the information you have given is true. If you are found to have been deliberately untruthful or dishonest, criminal proceedings for fraud can be brought against you.

Only you can sign and date the declaration and statement of truth.

## **Multiple claims or applications**

In some courts and tribunals there are cases where two or more people are named on the same claim form. This is known as a multiple claim or application.

In a multiple claim or application, everyone involved is responsible for the fees that need to be paid. Each person should make a separate 'Help with fees' application.

If one of the group does not qualify for help with the fee then they'll have to pay it.

No-one will have to pay more than they would have done if they had applied on their own.

## Where to send your application

<b>Court, tribunal (except Employment tribunals) and probate fees</b>	<b>Employment tribunal fees in England and Wales</b>	<b>Employment tribunal fees in Scotland</b>
<p>If you are applying for help with court, tribunal or probate fees you must send your complete form to the the court, tribunal or probate office handling your case or claim.</p> <p>You can find contact details at: <a href="https://gov.uk/find-court-tribunal">gov.uk/find-court-tribunal</a></p>	<p>If you are applying for help with Employment tribunal fees in England and Wales you must send your complete form to.</p> <p><b>Employment Tribunal Central Office</b> <b>Or</b> <b>Employment Appeal Tribunal Central Office</b></p> <p>PO Box 10218 Leicester LE1 8EG (DX 743093 Leicester 35)</p>	<p>If you are applying for help with Employment tribunal fees in Scotland you must send your complete form to.</p> <p><b>Employment Tribunal Central Office</b> <b>Or</b> <b>Scotland Employment Appeal Tribunal Fees</b></p> <p>PO Box 127105 Glasgow G2 9JR (DX 580003 Glasgow 17)</p>

## What happens next

Our staff will aim to process your application in 5 working days. You'll receive a letter if your application is unsuccessful, or if you need to provide more information. For example, you may be asked to send evidence of your income.

## How to appeal

You can appeal if your application for help with your fee is unsuccessful and you don't agree with the decision.

You need to write to the court or tribunal's 'delivery manager' by the date stated in your refusal letter (this will usually be about 14 days from when you

receive the letter). Say why you are not happy with the decision and include any evidence that will support your appeal.

You will hear from the delivery manager within 10 working days.

If the delivery manager refuses your appeal, you have the right to contact the court or tribunal's 'operations manager' within 14 days from the date your appeal was refused. They will look at your application for an appeal and make a final decision.

## **If you are likely to experience exceptional hardship**

You can ask the court or tribunal's delivery manager to reconsider your application if not getting help with your fee will cause you exceptional hardship. Hardship is understood as having a significant impact on your day-to-day life, eg you won't be able to pay your rent.

The delivery manager will ask you about your income, savings and expenses. They'll also want to know about why you'll suffer exceptional hardship if you have to pay your fee.

You won't be considered at risk of exceptional hardship simply because of your status, for example if you're unemployed, a seasonal or part-time worker, student or prisoner.

## **What to do in an emergency**

If you need a decision more quickly than 5 working days, the court or tribunal delivery manager can make a decision about whether you can get help with your fee.

### **Emergencies include cases involving:**

- suspending an eviction
- debtor insolvency petition
- children or vulnerable adults
- domestic violence
- injunctions
- 'out of hours' provisions at the Royal Courts of Justice

## Useful contacts

### **Citizens Advice**

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

[www.adviceguide.org.uk](http://www.adviceguide.org.uk)

or check the Yellow Pages for  
your local office

### **Civil Legal Advice**

[www.gov.uk/civil-legal-advice](http://www.gov.uk/civil-legal-advice)

### **Scottish Legal Aid Board**

[www.slabb.org.uk](http://www.slabb.org.uk)

0131 226 7061

### **Department for Work and Pensions**

[www.gov.uk/dwp](http://www.gov.uk/dwp)

### **HM Courts & Tribunals Service**

[www.gov.uk/government/  
organisations/hm-courts-and-  
tribunals-service](http://www.gov.uk/government/organisations/hm-courts-and-tribunals-service)

### **HM Revenue and Customs**

[www.hmrc.gov.uk](http://www.hmrc.gov.uk)

Tax Credit Helpline

0345 300 3900

### **Jobcentre Plus**

[www.gov.uk/contact-jobcentre-plus](http://www.gov.uk/contact-jobcentre-plus)

0345 604 3719

### **The Pension Service**

[www.gov.uk/contact-pension-service](http://www.gov.uk/contact-pension-service)

0800 731 7898

### **Scottish Public Pensions Agency**

[www.sppa.gov.uk](http://www.sppa.gov.uk)

01896 893000

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If you need this leaflet in an alternative format, for example in large print, please contact your local court or tribunal for help.

If you have a disability that makes going to a court or tribunal or communicating difficult, please contact the court or tribunal and they will be able to help you.

You can find contact details for all our courts and tribunals online at: [gov.uk/find-court-tribunal](http://gov.uk/find-court-tribunal)